

## REMARKS

### *Status of the Claims*

Claims 34, 35, 37, 39, 40, and 42 are pending with Claims 34 and 39 being independent. Claims 36, 38, 41, 43, 46-48 and 51-54 have been canceled without prejudice to or disclaimer of the subject matter recited therein. Claims 34, 35, 37, 39, 40, and 42 have been amended. The obtaining unit and step added to Claims 34 and 39, respectively, correspond but are not limited to the step S404 in Fig. 46, the creation unit and creating step added to Claims 34 and 39, respectively, correspond but are not limited to the step S405 in Fig. 46, and the transmission unit and the transmitting step added to Claims 34 and 39, respectively, correspond but are not limited to the element 3110 and step S406 in Fig. 46. Accordingly, support for these claim amendments is found at least in Figure 46 and the accompanying description. Also, support for the last paragraph of Claims 34 and 39 is found at least at page 68, line 25 through page 69, line 11.

### *Requested Action*

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejection in view of the foregoing amendments and the following remarks.

### *Claim Rejection*

Claims 34-43, 46-48, and 51-54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/0081235 (Tanaka) in view of U.S. Patent Application Publication No. 2002/0097334 (Nishi).

In response, while not conceding the propriety of the rejections, independent Claims 34 and 39 have been amended. Applicants submit that as amended, these claims are allowable for the following reasons.

Independent Claim 34 relates to an image supply device comprising an interface configured to connect with a storage medium that stores image data and a file, and a transmission unit.

Claim 34 has been amended to recite that the image supply device is for directly communicating with a printer and transmitting image data to the printer to print the image data. Claim 34 has also been amended to recite that the file includes first image designation data for designating image data to be printed, wherein the file has been stored in the storage medium before the image supply device and the printer communicate each other. In addition, Claim 34 has been amended to recite an obtaining unit configured to obtain function information of the printer from the printer through communication with the printer. Claim 34 has also been amended to recite a creation unit configured to create second image designation data based on a designation of image data to be printed after the image supply device and the printer communicate each other, and create a print job including the second image designation data and a print condition based on the function information obtained by the obtaining unit. Further, Claim 34 has been amended to recite that the transmission unit is configured to transmit the print job created by the creation unit to the printer. Finally, Claim 34 has been amended to recite that if the designation of image data to be printed is performed using the first image designation data included in the file, then the creation unit creates the print job including information for designating the file instead of the second image designation data.

By this arrangement, if a file designates a large number of items of image data to be printed and a user of the image supply device wishes to print the large number of items of image data stored in the storage medium, then the user can create a print job including information for designating the file. Therefore, it is possible for the user to easily create a print job including a print designation of the large number of items of image data.

In contrast, the citations to Tanaka and Nishi are not understood to disclose or suggest that if a designation of image data to be printed is performed using first image designation data included in a file stored in a storage medium before an image supply device and a printer communicate each other, then a creation unit creates a print job including information for designating the file instead of second image designation data created by the creation unit based on a designation of image data to be printed after the image supply device and the printer communicate each other and included in a print job created by the creation unit that also includes a print condition based on the function information of the printer obtained by obtaining unit, as recited by amended Claim 34.

Rather, Tanaka is understood to disclose a) a printing system in which a printer and a digital camera directly communicate each other, b) the printer prints an image based on image data supplied from the digital camera, and c) “Designation of a print image in the digital camera 3012 is basically the same as an operation of creating a DPOF file when developing (printing) of sensed images is ordered for a Photo print shop.” (paragraph [0064]). But Tanaka, is not understood to show transmission of the DPOF file from the digital camera to the printer to designate a print condition of image data. Nishi is understood to disclose a digital camera having a DPOF dedicated switch 41 for generating

or editing a DPOF file, and transmitting the DPOF file to the printer, so that the printer reads the DPOF file and creates a print job.

Since amended Claim 34 recites at least one feature not understood to be disclosed or suggested by the citations to Tanaka and Nishi, Applicants respectfully submit that the Office has not yet established a prima facie case of obviousness against amended Claim 34. Therefore, Applicants respectfully request that the rejection of Claim 34 be withdrawn. And because corresponding method Claim 39 has been amended in a similar manner, it is submitted to be allowable for similar reasons. Therefore, Applicants respectfully request that the rejection of Claim 39 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

#### *Conclusion*

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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